

**18 VAC 110-20-20. Fees.**

- A. Unless otherwise provided, fees listed in this section shall not be refundable.
- B. Fee for initial pharmacist licensure.
  - 1. The application fee for a pharmacist license shall be \$50.
  - 2. The fees for taking all required examinations shall be paid directly to the examination service as specified by the board.
  - 3. The application fee for a person whose license has been revoked or suspended indefinitely shall be \$300.
- C. Renewal of pharmacist license.
  - 1. The annual fee for renewal of a pharmacist license shall be \$50.
  - 2. The annual fee for renewal of an inactive pharmacist license shall be \$35.
  - 3. If a pharmacist fails to renew his license within the Commonwealth by the renewal date, he must pay the back renewal fee and a \$25 late fee within 60 days of expiration.
  - 4. Failure to renew a pharmacist license within 60 days following expiration shall cause the license to lapse and shall require the submission of a reinstatement application, payment of all unpaid renewal fees, and a delinquent fee of \$50.
- D. Other licenses or permits.
  - 1. The following fees shall be required upon submission of a new facility application, change of ownership of an existing facility, or annual renewal:
    - a. Pharmacy permit \$200
    - b. Permitted physician to dispense drugs \$200
    - c. Nonrestricted manufacturing permit \$200
    - d. Restricted manufacturing permit \$150
    - e. Wholesale distributor license \$200
    - f. Warehouser permit \$200
    - g. Medical equipment supplier permit \$150

- h. Licensed humane society permit \$10
- 2. The following fees shall be required for facility changes:
  - a. Application for a change of the pharmacist-in-charge \$25
  - b. Application for a change of location or a remodeling which requires an inspection \$100
- 3. The following fees shall be required for late renewals or reinstatement:
  - a. If a licensee fails to renew a required license or permit prior to the expiration date, a \$25 late fee shall be assessed.
  - b. If a required license or permit is not renewed within 60 days after its expiration, the license or permit shall lapse, and continued practice or operation of business with a lapsed license or permit shall be illegal. Thereafter, reinstatement shall be at the discretion of the board upon submission of an application accompanied by all unpaid renewal fees and a delinquent fee of \$50.

E. Controlled substances registration

- 1. The annual fee for a controlled substances registration as required by § 54.1-3422 of the Code of Virginia shall be \$20.
- 2. If a registration is not renewed within 60 days of the expiration date, the back renewal fee and a \$10 late fee shall be paid prior to renewal.
- 3. If a controlled substance registration has been allowed to lapse for more than 60 days, all back renewal fees and a \$25 delinquent fee must be paid before a current registration will be issued. Engaging in activities requiring a controlled substance registration without holding a current registration is illegal and may subject the registrant to disciplinary action by the board. Reinstatement of a lapsed registration is at the discretion of the board and may be granted by the executive director of the board upon completion of an application and payment of all fees.

F. Other fees.

- 1. A request for a duplicate wall certificate shall be accompanied by a fee of \$25.
- 2. The fee for a returned check shall be \$15.
- 3. The fee for board approval of an individual CE program is \$100.
- 4. The fee for board approval of a robotic pharmacy system shall be \$150.

5. The fee for a board-required inspection of a robotic pharmacy system shall be \$150.

G. Approval of new process or procedure in pharmacy.

1. The fee for filing an application for board review of a new process, procedure or pilot project in pharmacy pursuant to § 54.1-3407.2 of the Code of Virginia shall be \$250. The initial application shall specify each pharmacy location in which the pilot is to be implemented.
2. The fee for an inspection of a pilot process or procedure, if required by the informal conference committee, shall be \$150 per location.
3. If the board determines that a technical consultant is required in order to make a decision on approval, any consultant fee, not to exceed the actual cost, shall be paid by the applicant.
4. The fee for a change in the name of the pharmacist responsible for the pilot program shall be \$25.
5. Continued approval.
  - a. In the initial order granting approval, the informal conference committee shall also set an approval period with a schedule for submission of reports and outcome data. The frequency for submission of required reports shall not exceed four times per year.
  - b. The committee shall determine the appropriate fee for continued approval, which shall be based on the requirements for review and monitoring but which shall not exceed \$200 per approval period.

H. Pharmacy Technicians.

1. The application fee for initial registration as a pharmacy technician shall be \$25.
2. The application fee for a person whose registration has been suspended or revoked shall be \$125.
3. The annual fee for renewal of a pharmacy technician registration shall be \$25.
4. If a pharmacy technician fails to renew his registration within the Commonwealth by the renewal date, he must pay the back renewal fee and a \$10 late fee within 60 days of expiration.
5. Failure to renew a pharmacy technician registration within 60 days following expiration shall cause the registration to lapse and shall require the submission of a reinstatement application, payment of all unpaid renewal fees, and a delinquent fee of \$25.

6. The application fee for approval of a training program for pharmacy technicians shall be \$150.

### **PART III. REQUIREMENTS FOR PHARMACY TECHNICIAN REGISTRATION**

#### **18 VAC 110-20-101. Application for registration as a pharmacy technician.**

- A. Any person wishing to apply for registration as a pharmacy technician shall submit the application fee and an application on a form approved by the board.
- B. In order to be registered as a pharmacy technician, an applicant shall provide evidence of the following:
  1. Satisfactory completion of an approved training program, and
  2. A passing score on a board approved examination
- C. In lieu of the requirements of paragraph B of this section, an applicant may provide evidence of current PTCB certification.

#### **18 VAC 110-20-102. Criteria for Approval for Training Programs**

- A. Any person wishing to apply for approval of a pharmacy technician training program shall submit the application fee and an application on a form approved by the board and meet the criteria established in this section.
- B. The curriculum of a training program for pharmacy technicians shall include instruction in applicable laws and regulations and in the tasks which may be performed by a pharmacy technician to include the following or any other task restricted to pharmacy technicians in regulation:
  1. The entry of prescription information and drug history into a data system or other record keeping system;
  2. The preparation of prescription labels or patient information;
  3. The removal of the drug to be dispensed from inventory;
  4. The counting, measuring, or compounding of the drug to be dispensed;
  5. The packaging and labeling of the drug to be dispensed and the repackaging thereof;
  6. The stocking or loading of automated dispensing devices or other devices used in the dispensing process; and
  7. The acceptance of refill authorization from a prescriber or his authorized agent provided there is no change to the original prescription.
- C. Instructors shall be either i) a pharmacist with a current unrestricted license in any jurisdiction in the United States or ii) a pharmacy technician with at least one year experience

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performing technician tasks who holds a current unrestricted registration in Virginia or a current PTCB certification, or iii) other person approved and deemed qualified by the Board to be an instructor.

D. The length of the program shall be sufficient to prepare a program participant to sit for the board approved examination and demonstrate entry level competency.

E. The program shall maintain records of program participants either on site or at another location where the records are readily retrievable upon request for inspection. Records shall be maintained for two years from date of completion or termination of program.

### **18 VAC 110-20-103. Examination**

A. The board shall approve one or more examinations to test entry level competency for pharmacy technicians. In order to be approved, a competency examination shall be developed in accordance with and meet the recognized acceptable test measurement standards of the Joint Technical Standards for Education and Psychological Testing (American Psychological Association, current edition), and shall be administered by an independent third party.

B. The board may contract with an examination service for the development and administration of a competency examination.

C. The board shall determine the minimum passing standard on the competency examination.

### **18VAC 110-20-104. Address of Record**

It shall be the duty and responsibility of each pharmacy technician to inform the board of his current address. A pharmacy technician shall notify the board in writing of any change of an address of record within 30 days. All notices required by law or by these rules and regulations are deemed to be legally given when mailed to the address given and shall not relieve the registrant of the obligation to comply.

### **18 VAC 110-20-105. Renewal and Reinstatement of Registration**

A. Pharmacy technician registrations expire on December 31 and shall be renewed annually prior to that date by the submission of a renewal fee and renewal form. A pharmacy technician newly registered on or after July 1 shall not be required to renew that registration until December 31 of the following year. Failure to receive the application for renewal shall not relieve the pharmacy technician of the responsibility for renewing the registration by the expiration date.

B. A pharmacy technician who fails to renew his registration by the expiration date has 60 days in which to renew by submission of the renewal and late fee, renewal form, and proof of required continuing education.

- C. Failure to renew within the 60 days of expiration shall cause his registration to lapse. Reinstatement may be granted by the executive director of the board upon completion of an application for reinstatement of registration, the payment of all back renewal fees and a delinquent fee, and submission of original continuing education certificates. Conducting tasks associated with a pharmacy technician with a lapsed registration shall be illegal and may subject the registrant to disciplinary action by the board.
- D. A person who fails to reinstate a pharmacy technician registration within five years of expiration, shall not be eligible for reinstatement and shall repeat an approved training program and repeat and pass the examination, or hold current PTCB certification, before applying to be re-registered.

**18 VAC 110-20-106. Requirements for continued competency.**

- A. A pharmacy technician shall be required to have completed a minimum of 0.5 CEU's or 5 contact hours of approved continuing education for each annual renewal of registration. Hours in excess of the number required for renewal may not be transferred or credited to another year.
- B. An approved continuing education program shall meet the requirements as set forth in 18 VAC 110-20-90 (B) of these regulations.
- C. Upon written request of a pharmacy technician, the board may grant an extension of up to one year in order for the pharmacy technician to fulfill the continuing education requirements for the period of time in question. The granting of an extension shall not relieve the pharmacy technician from complying with current year requirements. Any subsequent extension shall be granted for good cause shown.
- D. Original certificates showing successful completion of continuing education programs shall be maintained by the pharmacy technician for a period of two years following the renewal of his registration. The pharmacy technician shall provide such original certificates to the board upon request in a manner to be determined by the board.

**18 VAC 110-20-111. Pharmacy technicians**

- A. Every pharmacy which employs or uses pharmacy technicians shall maintain a site specific training program and manual for training pharmacy technicians to work at that pharmacy. The program shall include training consistent with that specific pharmacy practice to include, but not be limited to, training in proper use of site specific computer programs and equipment, proper use of other equipment used at the pharmacy in performing technician duties, and pharmacy calculations consistent with the duties at that pharmacy.
- B. Every pharmacy shall maintain documentation of successful completion of the site specific training program for each pharmacy technician for the duration of the employment and for a period of two years from date of termination of employment. Documentation for currently employed pharmacy technicians shall be maintained on site or at another location where the

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records are readily retrievable upon request for inspection. After employment is terminated, such documentation may be maintained at an off site location where it is retrievable upon request.

C. Every pharmacy which employs or uses a person enrolled in an approved pharmacy technician training program pursuant to § 54.1-3321 (D) shall allow such person to conduct tasks restricted to pharmacy technicians for no more than nine months without that person becoming registered as a pharmacy technician with the board. Every pharmacy using such a person shall have documentation on site and available for inspection showing that the person is currently enrolled in an approved training program.

**18 VAC 110-20-270. Dispensing of prescriptions; ~~acts restricted to pharmacists;~~  
certification of completed prescriptions; supervision of pharmacy technicians.**

~~A. The following acts shall be performed by a pharmacist, or by a pharmacy intern, provided a method for direct monitoring by the pharmacist of such acts is provided:~~

- ~~1. The evaluation of a prescription for its completeness, validity, safety and appropriateness of drug therapy in conformity with provisions of §§ 54.1-3303, 54.1-3319, 54.1-3408, 54.1-3408.1, and 54.1-3410 of the Code of Virginia and to current practices in pharmacy.~~
- ~~2. The receiving of an oral prescription from a practitioner or his authorized agent and the transcribing of such oral or electronically transmitted prescription to hard copy or directly into a data processing system.~~
- ~~3. The personal supervision of the compounding of extemporaneous preparations.~~
- ~~4. The conducting of a prospective drug review as required by § 54.1-3319 of the Code of Virginia prior to the dispensing or refilling of any prescription.~~
- ~~5. The providing of drug information to the public or to a practitioner.~~
- ~~6. The communication with the practitioner regarding any changes in a prescription, substitution of the drug prescribed, drug therapy, or patient information.~~
- ~~7. The direct supervision of those persons assisting the pharmacist in the prescription department under the following conditions:
  - ~~a. Only one person who is not a pharmacist may be present in the prescription department at any given time with each pharmacist for the purpose of assisting the pharmacist in preparing and packaging of prescriptions or for the purpose of requesting or receiving refill authorization provided there is no change from the original prescription. If the pharmacy is using persons who hold current certification from PTCB or any other nationally recognized certifying body approved by the board, the ratio may be one pharmacist to three assistants.~~~~

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~~b. In addition to the person or persons authorized in subdivision 7a of this subsection, personnel authorized by the pharmacist may be present in the prescription department for the purpose of performing clerical functions, to include data entry of prescription and patient information into a computer system or a manual patient profile system.~~

A. In addition to the acts restricted to a pharmacist in § 54.1-3320 (A), a pharmacist shall provide personal supervision of compounding of extemporaneous preparations by pharmacy technicians.

B. A pharmacist directly monitoring the activities of a person enrolled in an approved pharmacy technician training program who is performing the tasks restricted to a pharmacy technician prior to registration in accordance with §54.1-3321 (D) shall not monitor more than two such trainees at the same time, and at no time shall a pharmacist supervise more than four persons performing technician functions to include technicians and trainees.

C. After the prescription has been prepared and prior to the delivery of the order, the pharmacist shall inspect the prescription product to verify its accuracy in all respects, and place his initials on the record of dispensing as a certification of the accuracy of, and the responsibility for, the entire transaction.

D. If a pharmacist declines to fill a prescription for any reason other than the unavailability of the drug prescribed, he shall record on the back of the prescription the word "declined," the name, address, and telephone number of the pharmacy, the date filling of the prescription was declined, and the signature of the pharmacist.